

**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER  
FEBRUARY 12, 2013**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, February 12, 2013, in the Council Chambers of City Hall located at 610 Main Street.

**CALL TO ORDER**

Presiding Officer Mayor Terry Seitz called the meeting to order at 8:00 a.m.

**ROLL CALL**

Clerk-Treasurer Juanita S. Boehm then called the roll:

Mayor Terry Seitz	Present
Board member Timothy Bell	Present
Board member David Prechtel	Absent

Also present were Police Chief J. Michael Bennett, Street Commissioner Raymond Eckerle, City Engineer Chad Hurm, Personnel/Safety/Loss Control Director Cale Knies, Fire Chief/Code Enforcement Officer Kenneth Hochgesang, Director of Community Development and Planning Darla Blazey, City Attorney Renee Kabrick, and Clerk-Treasurer Juanita Boehm.

Clerk-Treasurer Boehm announced that in order to have a quorum for the meeting, a majority of the board members must be present. Two of the three board members were present which is a majority; therefore, there was a quorum for the meeting.

**PLEDGE OF ALLEGIANCE**

Mayor Seitz invited all those present to join him in reciting the Pledge of Allegiance.

**APPROVAL OF THE MINUTES**

The board members examined the minutes of the regular meeting held on January 22, 2013 and the memorandum of the executive session held on January 22, 2013. Thereafter, a **motion** was made by Mayor Seitz and seconded by Timothy Bell to approve the minutes as written. Motion carried 2-0.

**CLAIMS**

Board members reviewed the claims from January 4, 2013 to February 7, 2013. Thereafter, a **motion** was made by Mayor Seitz and seconded by Timothy Bell to approve the claims as presented. Motion carried 2-0.

**CHALK WALK**

Corina Mack with the Arts Department asked permission to close Main Street between 5<sup>th</sup> and 7<sup>th</sup> Streets and 6<sup>th</sup> Street between Jackson and Newton Streets from 6:00 a.m. to 5:00 p.m. on Saturday, May 4, 2013 with a rain date of May 11, 2013 for the annual Chalk Walk activities.

A **motion** was made by Timothy Bell and seconded by Mayor Seitz to approve the Chalk Walk around the Square set for May 4, 2013 with a rain date of May 11<sup>th</sup>. Motion carried 2-0.

#### **TASTERS FEST**

Bridgette Jarboe, representing Anderson Woods, asked permission to use the river walk plaza and the barn on September 21, 2013 from 7:00 a.m. to 9:00 p.m. for the annual tasters fest. The event is scheduled from 4:00 p.m. to 7:30 p.m. The rest of the time is needed for set up and tear down.

A **motion** was made by Mayor Seitz and seconded by Timothy Bell to permit Anderson Woods to conduct the tasters fest at the barn and plaza all day on September 21, 2013. Motion carried 2-0.

#### **DEAF AWARENESS PICNIC**

Mayor Seitz read a letter submitted by Don Mendel, representing Connections Deaf Centers. He asked permission to use the river walk plaza, gazebo, and three shelter houses on September 7, 2013 from 8:00 a.m. to 8:00 p.m. for their deaf awareness picnic.

A **motion** was made by Mayor Seitz and seconded by Timothy Bell to adopt the event on the schedule. Motion carried 2-0.

#### **OLD JASPER DAYS**

Nancy Eckerle, representing the Jasper Chamber of Commerce, presented a rough draft of the activities for Old Jasper Days scheduled for Sunday, May 19, 2013. She asked the board to waive the rental fee for the gazebo.

A **motion** was made by Timothy Bell and seconded by Mayor Seitz to approve Old Jasper Days on May 19, 2013 and waive the fee for the gazebo. Motion carried 2-0.

#### **SUMMER RIVERWALK CONCERT SERIES**

Nancy Eckerle, representing the Jasper Chamber of Commerce, presented the summer river walk concert series for 2013. She asked permission to use the gazebo and plaza area and waive the fee for the gazebo.

A **motion** was made by Mayor Seitz and seconded by Timothy Bell to permit the concert series on May 19, June 1, July 13, and August 17, 2013 and waive the fee for the gazebo. Motion carried 2-0.

#### **PAPER SHREDDING DAY**

Nancy Eckerle, representing the Jasper Chamber of Commerce, asked permission to use the train depot parking lot on April 19 and October 18, 2013 from 10:00 a.m. to 1:00 p.m. for paper shredding days. The event is open to residents and businesses. Eckerle said electronics recycling is being added on April 19<sup>th</sup>. If that collection goes okay, it will also be done in October.

A **motion** was made by Timothy Bell and seconded by Mayor Seitz to approve paper shredding day at the train depot on April 19 from 10:00 a.m. to 1:00 p.m. and on October 18 from 10:00 a.m. to 1:00 p.m. Motion carried 2-0.

### **STREAMERS**

Nancy Eckerle, representing the Greater Downtown Jasper Business Association, asked permission to put streamers on the light poles around the Square from mid-March to May and from August to mid-October. She said someone from the City helps with putting up the streamers. Mayor Seitz asked the association to provide someone to assist City personnel with putting up and removing the streamers.

A **motion** was made by Mayor Seitz and seconded by Timothy Bell to grant the request to hang streamers on the poles around the Square. Motion carried 2-0.

### **HUNTINGTON DISEASE WALK**

Cindy Kreilein, representing the Indiana Chapter of Huntington Disease of America, asked permission to use the river walk and one shelter house on May 18, 2013 from 7:00 a.m. to 4:00 p.m. for an awareness walk called Walk for Huntington Disease. Kreilein said this is the first time for this event.

A **motion** was made by Mayor Seitz and seconded by Timothy Bell to permit the walk at the river walk on May 18, 2013 for Huntington Disease of America. Motion carried 2-0.

### **FEE FOR EXCAVATION IN PUBLIC STREETS**

Street Commissioner Raymond Eckerle recommended increasing the fee for patching a cut into the City's pavement from \$4.26 per sq. ft. to \$7.02 per sq. ft. and the fee to revisit due to improper backfill compaction from \$2.01 per sq ft to \$3.30 per sq ft. The current fees were established in May 2007. Eckerle provided the calculation sheet for the revised fee to show it is fair and equitable. After some discussion it was decided to have the change in fees effective July 1, 2013.

A **motion** was made by Mayor Seitz and seconded by Timothy Bell to recommend to the Council to amend the ordinance that would increase the fee for patching a cut into the City's pavement to \$7.02 per sq. ft. and the fee to revisit due to improper backfill compaction to \$3.30 per sq ft. Motion carried 2-0.

### **REPLACE LABORER**

Street Commissioner Raymond Eckerle asked permission to use the old pool of applicants in order to replace a laborer that is leaving effective February 28, 2013.

A **motion** was made by Timothy Bell and seconded by Mayor Seitz to allow the street department to start the process to replace a laborer. Motion carried 2-0.

### **SNOW CONFERENCE**

Street Commissioner Raymond Eckerle asked permission for him and the assistant street commissioner to attend the 2013 North American Snow Conference in Charlotte, NC from April 7-10.

A **motion** was made by Mayor Seitz and seconded by Timothy Bell to grant the street department request for the street commissioner and assistant street commissioner to attend the North American Snow Conference from April 7-10. Motion carried 2-0.

### **SOUTH NEWTON STREET PROJECT**

City Engineer Chad Hurm had a request for substantial completion for the contractor for the South Newton Street storm sewer project which will release the retainage. He also had a request to approve a change order for a deduct of \$24,141.41. This will bring the contract price to \$252,683.59.

A **motion** was made by Mayor Seitz and seconded by Timothy Bell to approve the change order for a deduct of \$24,141.41 for a new price for Blankenberger Bros of \$252,683.59. Motion carried 2-0.

A **motion** was made by Mayor Seitz and seconded by Timothy Bell to adopt the certificate of substantial completion. Motion carried 2-0.

### **HARTFORD DRIVE**

City Engineer Chad Hurm reported that Hartford Drive will be closed beginning Monday, February 18, 2013.

### **QUOTES**

City Engineer Chad Hurm asked permission to seek quotes for an upgrade for the council chambers audio visual system. Mayor Seitz said the Utility Service Board agreed to pay 50%.

A **motion** was made by Mayor Seitz and seconded by Timothy Bell to grant permission to seek quotes. Motion carried 2-0.

### **VOLUNTEER FIREFIGHTERS RESIGN**

Fire Chief Kenneth Hochgesang said two volunteer firefighters resigned. Mayor Seitz said the board received a letter of resignation from Jared D Reinbold effective February 7, 2013 and one from Justin W. Reinbold effective February 7, 2013.

A **motion** was made by Mayor Seitz and seconded by Timothy Bell to accept the letters of resignation from Jared and Justin Reinbold. Motion carried 2-0.

### **PROBATIONARY FIREFIGHTER**

Fire Chief Kenneth Hochgesang said Nicholas Nowakowski will complete his one year probationary period on February 20<sup>th</sup>. He recommended changing his status from probationary volunteer firefighter to full status duty.

A **motion** was made by Timothy Bell and seconded by Mayor Seitz to move Nicholas Nowakowski from probationary volunteer firefighter to regular volunteer firefighter. Motion carried 2-0.

### **POLICE SERGEANT RESIGNING**

Police Chief J. Michael Bennett said he received a letter from Sergeant Jeff Carie stating his last day with the department is March 16, 2013. Bennett asked permission to start the process to hire a replacement plus post internally for the sergeant position.

A **motion** was made by Mayor Seitz and seconded by Timothy Bell to grant the police chief permission to open internally for the sergeant position and start hiring for a replacement officer. Motion carried 2-0.

### **TELECOMMUNICATOR RESIGNS**

Police Chief J. Michael Bennett said he received a letter that Probationary Telecommunicator Melissa Lopez is resigning effective February 25, 2013. He requested permission to start the hiring process.

A **motion** was made by Mayor Seitz and seconded by Timothy Bell to advertise for a telecommunicator position at the Jasper Police Department. Motion carried 2-0.

### **QUOTES**

Police Chief J. Michael Bennett asked permission to release bid packets for two patrol cars.

A **motion** was made by Timothy Bell and seconded by Mayor Seitz to approve bid packets for two police vehicles. Motion carried 2-0.

### **ACTION REGARDING A POLICE OFFICER**

Police Chief J. Michael Bennett recommended the termination of Officer David Drew. His recommendation was based on information obtained through an internal investigation as well as information presented by the Indiana State Police Department to the Jasper Police Department which was obtained during a separate investigation conducted by the State Police Department. Both investigations related to allegations regarding the conduct of Officer David Drew. He stated that all of this information was discussed during several executive sessions of the Board. Chief Bennett further stated that Officer Drew is currently on medical leave. He requested authority to proceed with conditional suspension should Officer Drew be released to return to duty on February 14, 2013. Chief Bennett recommended this suspension be made with pay pending the outcome of board action on his recommendation. Finally, Chief Bennett requested that the Board authorize the City Attorney to proceed with the appropriate procedural steps to

ensure compliance with Indiana Statute, the Jasper Municipal Code, and the City of Jasper Police Department Employee Handbook as they pertain to such actions.

A **motion** was made by Mayor Seitz and seconded by Timothy Bell to approve Chief Bennett’s request and authorize Attorney Kabrick to proceed with appropriate procedural steps to ensure compliance with pertinent law as requested. The motion passed 2-0.

A **motion** was made by Mayor Seitz and seconded by Timothy Bell to approve Chief Bennett’s request for conditional suspension in the event that Officer Drew is released to return to active duty. Motion carried 2-0.

**ADJOURNMENT.** There being no further business to come before the board, a **motion** was made by Mayor Seitz and seconded by Timothy Bell to adjourn the meeting. The motion carried 2-0 and the meeting adjourned at 8:51 a.m.

The minutes were hereby approved \_\_\_\_ with  X  without corrections or clarification this 26<sup>th</sup> day of February, 2013.

\_\_\_\_\_  
**Mayor Terry Seitz**  
**Presiding Officer**

**Attest:**

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**Juanita S. Boehm, Clerk-Treasurer**